APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,474	01/09/2002	Emmanuel Yashchin	YOR920010540	2599

			EXAMINER
30743	7590	07/18/2005	BATURAY, ALICIA

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ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 07/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _03 May 2005_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-19_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-19_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _19 February 2002_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the amendment filed 3 May 2005.

2. Claims 1, 2, 7, 8, 11, and 13 were amended.

3. Claims 16-19 were added.

4. Claims 1-19 are pending in this Office Action.

Response to Amendment

5.   The objection to the abstract regarding minor informalities was addressed and is withdrawn.

6.   The objection to the specification regarding minor informalities was addressed and is withdrawn.

7.   The examiner thanks Applicant for cooperation in correcting errors within the specification and within the claims that Applicant had become aware of.

8.   Applicant's amendments and arguments with respect to claims 1-15 and new claims 16-19 filed on 3 May 2005 have been fully considered but they are deemed to be moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

10.   Claims 1-5, 8-12, and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Cragun (U.S. 6,557,027) and further in view of Kanevsky et al. (U.S. 6,104,989).

Cragun teaches the invention substantially as claimed including a messaging system that

is capable of displaying each message associated with a first sub-topic identifier in a message

window utilizing a first presentation format, and displaying each message associated with a

second sub-topic identifier in the message window utilizing a second presentation format

(Cragun, see Abstract).

11.   With respect to claim 1, Cragun teaches a messaging system comprising:

An interactive system for production and interchange of messages by users over a

network; and a user interface, coupled to the topic separator, for representing in a distinct

way parts of messages that were separated by the topic separator (Cragun, col. 5, lines 1-10).

Cragun does not explicitly teach the use of an automatic message topic separator.

However, Kanevsky teaches an automated topic separator receiving user messages and

separating messages according to different topics (Kanevsky, Fig. 5; col. 9, lines 9-11),

where the automated topic separator separates messages or parts of messages according to words used in the messages (Kanevsky, col. 2, lines 45-55).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Cragun in view of Kanevsky in order to the use of an automatic message topic separator. One would be motivated to do so in order to facilitate automatic real time topic identification of textual data and to free the user from having to sort the messages.

12. With respect to claim 2, Cragun teaches the invention described in claim 1, including the messaging system further comprising a time synchronizer for time stamping messages (Cragun, col. 6, lines 54-60).

Cragun does not explicitly teach the use of time stamps to determine topical relationships.

However, Kanevsky teaches the topic separator being responsive to the time synchronizer to determine topical relationships between messages. (Kanevsky, col. 4, lines 53-54).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Cragun in view of Kanevsky in order enable to the use of time stamps to determine topical relationships. One would be motivated to do so in order to more accurately separate topics, as one is more likely to discuss one topic in during a period of time and then move on to another.

13. With respect to claim 3, Cragun teaches the invention described in claim 1, including the messaging system where the user interface displays messages in windows according to topic (Cragun, Fig. 6, element 530; col. 5, lines 17-22).

14.   With respect to claim 4, Cragun teaches the invention described in claim 1, including the

messaging system where the user interface displays messages in different colors according to

topic (Cragun, col. 5, lines 6-10).

15.   With respect to claim 5, Cragun teaches the invention described in claim 1, including the

messaging system further comprising a security system to verify a user's identity (Cragun,

col. 4, lines 8-16).

16.   With respect to claim 8, Cragun teaches a method of conducting a messaging session at a

user's computer between two or more users over a network comprising the steps of: receiving

a message over the network from a user; determining if the topic of the received message has

changed from a previous message (Cragun, col. 7, lines 26-29); determining if a changed

topic is a new topic; and if a new topic, opening a new window to display the received

message (Cragun, col. 7, lines 42-44).

Cragun does not explicitly teach the use of an automatically identifying a topic.

However, Kanevsky teaches automatically identifying a topic of the received message

based on words used in the message (Kanevsky, col. 2, lines 45-55).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Cragun in view of Kanevsky in order to facilitate automatically

identifying a topic. One would be motivated to do so in order to One would be motivated to

do so in order to facilitate automatic real time topic identification of textual data and to free

the user from having to sort the messages.

17.   With respect to claim 9, Cragun teaches the invention described in claim 8, including the method of conducting a messaging session where if the topic of a received message has not changed, further comprising the step of displaying the received message in a currently opened window (Cragun, col. 7, lines 29-35).

18.   With respect to claim 10, Cragun teaches the invention described in claim 8, including the method of conducting a messaging session where if a changed topic is not a new topic, further comprising the step of displaying the received message in a previously opened window (Cragun, col. 7, lines 29-35).

19.   With respect to claim 11, Cragun teaches the invention described in claim 8, including the method of conducting a messaging session further comprising the steps of:

Identifying a time of a received message (Cragun, col. 6, lines 54-60), the steps of determining if the topic of the received message has changed from a previous message (Cragun, col. 7, lines 26-29) and determining if a changed topic is a new topic using the time of the received message to determine whether the topic has changed or is a new topic (Cragun, col. 6, lines 48-50).

20.   With respect to claim 12, Cragun teaches the invention described in claim 8, including the method of conducting a messaging session further comprising the step of checking a user's identity (Cragun, col. 7, lines 9-12).

21.   With respect to claim 16, Cragun teaches the invention described in 1, including where

the messaging system enables a subgroup of users to conduct a messaging session separately

from other users of the messaging system (Cragun, col. 3, lines 51-59).

22.   With respect to claim 17, Cragun teaches the invention described in 8, including where a

subgroup of users comprising at least two users conducts a messaging session separately

from other users (Cragun, col. 3, lines 51-59).

23.   With respect to claim 18, Cragun teaches the invention described in claim 1, including a

topic separator, for representing in a distinct way parts of messages that were separated by

the topic separator (Cragun, col. 5, lines 1-10).

Cragun does not explicitly teach a method of alerting the user to the inability of the topic

separator to place a message in a particular topic.

However, Kanevsky the automated topic separator is operable for indicating to the user

when the topic of a message can not be decided by the topic separator (Kanevsky, col. 2, line

64 – col. 3, line 1).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Cragun in view of Kanevsky in order to alert the user to the inability of

the topic separator to place a message in a particular topic. One would be motivated to do so

in order to facilitate automatic real time topic identification of textual data and to free the

user from having to sort the messages as much as possible.

24.   With respect to claim 19, Cragun teaches the invention described in claim 8, including

determining if the topic of the received message has changed from a previous message

(Cragun, col. 7, lines 26-29).

Cragun does not explicitly a method of alerting the user to the inability of the topic

separator to place a message in a particular topic.

However, Kanevsky teaches where the topic of the received message can not be decided,

and further comprising the step of indicating to the user that the topic of the received

message could not be decided (Kanevsky, col. 2, line 64 – col. 3, line 1).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Cragun in view of Kanevsky in order to alert the user to the inability of

the topic separator to place a message in a particular topic. One would be motivated to do so

in order to facilitate automatic real time topic identification of textual data and to free the

user from having to sort the messages as much as possible.

25.   Claims 7, 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Cragun in view of Kanevsky and further in view of Maes et al. (U.S. 6,016,476).

26.   With respect to claim 7, the combination of Cragun and Kanevsky teaches the invention

described in claim 5, including a messaging system including a security system (Cragun, col.

4, lines 8-16).

The combination of Cragun and Kanevsky does not explicitly teach the use of biometrics.

However, Maes teaches the messaging system where the security system includes a biometric module for verification of a user's identity (Maes, col. 8, lines 52-56).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Cragun and Kanevsky in view of Maes in order to allow for the use of biometrics. One would be motivated to do so in order to add a level of verification that an unauthorized user could not duplicate.

27.   With respect to claim 13, the combination of Cragun and Kanevsky teaches the invention described in claim 12, including a messaging system including a security system (Cragun, col. 4, lines 8-16).

The combination of Cragun and Kanevsky does not explicitly teach a security method in which a user is asked questions and the answers are evaluated.

However, Maes teaches the method of conducting a messaging session recited where the step of checking a user's identity comprises the steps of asking the user random questions (Maes, col. 8, lines 18-21) and evaluating the user's answers (Maes, col. 8, lines 56-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Cragun and Kanevsky in view of Maes in order to facilitate the use of a security method in which a user is asked questions and the answers are evaluated. One would be motivated to do so in order to add a level of verification that an unauthorized user could not duplicate.

28.   With respect to claim 15, the combination of Cragun and Kanevsky teaches the invention

described in claim 12, including a messaging system including a security system (Cragun,

col. 4, lines 8-16).

The combination of Cragun and Kanevsky does not explicitly teach the use of biometrics.

However, Maes teaches the method of conducting a messaging session where the step of

checking a user's identity is performed using biometrics (Maes, col. 8, lines 52-56).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify the combination of Cragun and Kanevsky in view of Maes in order to

allow for the use of biometrics. One would be motivated to do so in order to add a level of

verification that an unauthorized user could not duplicate.

29. Claims 6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun in

view of Kanevsky in view of Maes and further in view of Fredell et al. (U.S. 2001/0028364).

30.   With respect to claim 6, the combination of Cragun, Kanevsky, and Maes teaches the

invention described in claim 5, including the security system includes a database of questions

from which random questions are posed to a user (Maes, col. 8, lines 18-21).

The combination of Cragun, Kanevsky, and Maes does not explicitly teach a security

system in which another user verifies the answers.

However, Fredell teaches verification of validity of answers to posed questions is done by

users of the system (Fredell, page 7, paragraph 89).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Cragun, Kanevsky, and Maes in view of Fredell in order to allow for a security system in which another user verifies the answers. One would be motivated to do so in order to allow persons to communicate securely and add and drop persons from the session when necessary.

31.   With respect to claim 14, the combination of Cragun, Kanevsky, and Maes teaches the invention described in claim 13, including teaches the method of conducting a messaging session recited where the step of checking a user's identity comprises the steps of asking the user random questions (Maes, col. 8, lines 18-21) and evaluating the user's answers (Maes, col. 8, lines 56-59).

The combination of Cragun, Kanevsky, and Maes does not explicitly teach a security system in which another user verifies the answers.

However, Fredell teaches the method of conducting a messaging session where the step of evaluating the user's answers is performed by another user (Fredell, page 7, paragraph 89).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Cragun, Kanevsky, and Maes in view of Fredell in order to allow for a security system in which another user verifies the answers. One would be motivated to do so in order to allow persons to communicate securely and add and drop persons from the session when necessary.

Response to Arguments

32. Applicant's arguments filed 3 May 2005 have been fully considered, but they are not persuasive for the reasons set forth below.

33. *Applicant Argues:* Applicant states "Cragun does not teach or suggest automatic topic separation."

In Response: The examiner respectfully submits that Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

34. *Applicant Argues:* Applicant states "Cragun does not teach or suggest topical message splitting."

In Response: The examiner respectfully submits that Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

35. *Applicant Argues:* Applicant states "Cragun does not teach or suggest that the time stamp can be used to elucidate topical relationships between messages."

In Response: The examiner respectfully submits that Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

36. *Applicant Argues:* Applicant states "Claims 6 and 14 require that other users verify the answers provided by the user being authenticated. Nowhere do Fredell et al. teach or suggest user-user authentication."

In Response: The examiner respectfully submits that Maes teaches a security system that includes a database of questions (central server asks the user a series of questions) from which random questions are posed to a user (which are randomly chosen from the totality of questions asked and answered during the enrollment process). Fredell teaches verification of validity of answers to posed questions is done by users of the system (Users enter demographic information and the Network Security Provider Manager and the Project Manager have the capability to change user access rights and to remove or add users).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
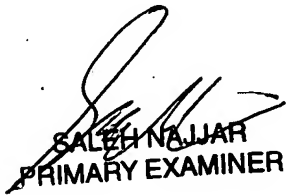
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system.   Status information for published applications may be

obtained from either Private PAIR or Public PAIR.   Status information for unpublished

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system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay
July 12, 2005

SALEH NAJJAR
PRIMARY EXAMINER